

FILED  
UNITED STATES DISTRICT COURT IN CLERKS OFFICE  
DISTRICT OF MASSACHUSETTS

2003 DEC 19 A 10:48  
C.A. No. 03-CV-12278-WGY

U.S. DISTRICT COURT  
DISTRICT OF MASS.

MICHAEL W. PANAGAKOS,

Plaintiff

v.

WAYNE FOSTIN, individually and as  
Building Inspector of the Town of Fairhaven,  
TOWN OF FAIRHAVEN,

Defendant

JOINT SCHEDULING  
STATEMENT

Now come the parties in the above-referenced action and hereby submit the following  
Joint Statement pursuant to Local Rule 16.1(D):

1. NATURE OF ACTION

The plaintiff alleges violations of his civil rights under the Fourteenth Amendment to the U.S. Constitution arising from the denial of a building permit by defendant Wayne Fostin (Counts II, III). The plaintiff also asserts state law claims: seeking a writ of mandamus (Count I); alleging violations of the Massachusetts Equal Rights Act (Count IV); alleging civil conspiracy (Count V) and seeking declaratory judgment (Count VI).

2. PROPOSED DISCOVERY PLAN

The parties propose the following discovery plan:

- a. All written discovery shall be served by February 27, 2004.
- b. All fact depositions will be completed by June 30, 2004.
- b. Plaintiff's Expert Witnesses will be identified by July 30, 2004
- c. Plaintiff's Expert Reports will be provided by August 13, 2004.
- d. Defendants' Expert Witnesses will be identified by August 31, 2004.

- e. Defendants' Expert Reports will be provided by September 15, 2004.
- f. Depositions of Expert Witnesses will be completed by October 29, 2004.

3. MOTION SCHEDULE

All dispositive motions will be served no later than December 31, 2004, but may be filed at any time previous thereto. Discovery motions, to the extent that they are necessary, will be filed prior to the close of discovery. Trial motions are to be served not less than seven (7) days prior to trial, except for good cause.

4. TRIAL BY MAGISTRATE JUDGE

The parties consent to a trial before a magistrate judge.

PLAINTIFF,

DEFENDANTS,

MICHAEL W. PANAGAKOS,

TOWN OF FAIRHAVEN,  
WAYNE FOSTIN,

By his attorneys,

By their attorneys,

Gregory J. Koldys / kiz  
Gregory J. Koldys (BBO# 276840)  
Mickelson Barnet, P.C.  
309 Cornell Street  
New Bedford, MA 02740  
(508) 993-8800

Katharine Doyle  
Joseph L. Tehan, Jr. (BBO# 494020)  
Katharine Gorcc Doyle (BBO# 634131)  
Kopelman and Paige, P.C.  
31 St. James Avenue  
Boston, MA 02116  
(617) 556-0007

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document  
was served upon the attorney of record for each other  
party by (hand) (mail) on 12/18/03

K. Doyle